

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 213 of 1985

Date of decision: 2-5-97

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JOSHI KISHORKUMAR KANTILAL

Versus

G E B

Appearance:

None present for Petitioner
Mr. V.J. Desai for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 02/05/97

ORAL JUDGEMENT

The matter was called out for hearing in the first round, second round and lastly in the third round. None appeared on behalf of the petitioner.

The counsel for the respondents submits that the petitioner has already been appointed as regular helper, vide order dated 14th December, 1988 and since 15th December, 1988 he is working as regular helper. He produced on record of this special civil application office order dated 15th December, 1988 passed by the Executive Engineer (O&M), Veraval. He also filed carbon copy of the application of the petitioner submitted to the concerned authority that he does not want to pursue this special civil application. Both these documents are taken on record. The prayer of the petitioner in the special civil application is for direction to the respondents to absorb him as helper in clear vacancy. This relief has already been granted to the petitioner. In view of this position this special civil application has become infructuous. Otherwise also the petitioner made request for withdrawal of this special civil application.

In the result this special civil is dismissed as having become infructuous. Rule discharged. No order as to costs.

.....

csm